

WATER PERMIT NO. 7361-3

Name of Applicant: City of Sioux Falls

Address: 2100 N Minnesota Ave, Sioux Falls SD

Phone: 605 373-6904

Amount of Water Claimed: 4.91 cfs

Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: municipal

County: Minnehaha

Type of Waste Disposal System:

Location:

PRIORITY

Date Received: 5-25-12

Application/License Fee: \$

Corrected Application Received:

Period of Annual Use: Jan 1 – Dec 31

Remarks: transfer 1.79 cfs and 1,296 AF from 5710-3 to Well # 31 (WR 395-3)

Diversion Point: SE ¼ SW ¼ Sec 20-T102N-R49W

Land to be Irrigated: NA

Depth of Well: 51

Well Driller:

Remarks:

Type of Map: aerial

Prepared by: Chris Anderson

Reviewed and the Number Assigned on: 5-30-12

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

			20		
			⊗ Well #31		

Mail to:
PMB 2020
DENR - Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

(office use only)
No. 7361-3 Hydrologic Unit 10170203
Basin Sioux River
Newspaper Argus Leader

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WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

- | | | | |
|---|---|--|--|
| ☒ Municipal | ☐ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☐ Fish & Wildlife | ☐ Geothermal Heat |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☐ Other | |

Type of Application: (check one)

- ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 395-3 & 5710-3 & 1347-3

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

Transfer diversion authority of 1.45 cfs from WR 5710-3 to WR 395-3.
Transfer volume authority of 719 AF from WR 1347-3 to WR 395-3.

1. Name of Applicant City of Sioux Falls Water Purification Phone 605-373-6940
(check one) ☐ Owner ☐ Tenant/lessee
Mailing Address 2100 North Minnesota Avenue Sioux Falls SD 57104
(Address) (City) (State) (Zip Code)
2. Amount of water claimed 4.57 *CFS or 2,051 **GPM 2,978 ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Big Sioux Aquifer Sioux Falls Unit
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County _____
T102N R49W 2,600' So Ctr Sec 20: 1,150' West Ctr Sec 20 (SE 1/4 SW 1/4) - Well 31
5. County or counties where water will be used Minnehaha & Lincoln
6. Annual period during which water is to be used Annually, January 1 through December 31
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Three gravel pack wells (60, 61, and 62) with water right 5710-3 were abandoned in November of 2011. This will make available 1,950 gpm or 4.34 cfs of diversion authority to be put to beneficial use by the City of Sioux Falls. It is the intent of the City to increase the diversion authority to well No. 31 covered by permit 395-3 to 4.57 cfs and 2,978 AF to maximize the pumping potential of the well. Transfer 719 AF from 1347-3 to 395-3

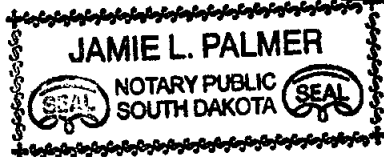
STATE OF SOUTH DAKOTA)
County of Minnehaha) SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Also, attach map and any other technical information. (see instructions)

I, Greg Anderson, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature

Subscribed and sworn to before me this 8 day of June 20 12



Jamie L. Palmer
Notary Public signature

Jamie L. Palmer, Notary Public
My Commission Expires May 15, 2013

SOUTH DAKOTA
WATER PERMIT NO. 7361-3

Date of first receipt of application June 12, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 7361-3 to the City of Sioux Falls Water Purifications, 2100 N Minnesota Ave, Sioux Falls SD 57104 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 7361-3 authorizes the transfer of existing diversion authority from Water Right No. 5710-3 and volume authority from Water Right No. 1347-3 to the well authorized by Water Right No. 395-3. The water source is the Sioux Falls Management Unit of the Big Sioux Aquifer. Water Right No. 5710-3 appropriates 3,220 acre-feet of water annually at a maximum rate of 8.47 cubic feet of water per second (cfs) from six wells located in SE 1/4 SE 1/4 Section 29, NE 1/4 NE 1/4 Section 32; all in T102N-R49W and SE 1/4 NE 1/4, NW 1/4 SE 1/4 Section 6-T101N-R49W. Water Right No. 1347-3 currently appropriates 4,282 acre feet annually at a diversion rate of 5.913 cfs from a well located in the SW 1/4 SW 1/4 Section 4, T101N, R49W. This permit authorizes the transfer of 1.45 cfs of the diversion authority held under Water Right No. 5710-3 to Well 31 (51 feet deep) located in the SE 1/4 SW 1/4 Section 20-T102N-R49W authorized by Water Right No. 395-3 which currently appropriates 2,259 acre feet of water at a diversion rate of 3.12 cfs. The permit also authorizes the transfer of 719 acre feet of authority on a volume basis from Water Right No. 1347-3 to Water Right No. 395-3. This permit authorizes a total appropriation of 2,978 acre-feet of water annually at a maximum diversion rate of 4.57 cfs to Well 31 authorized by Water Right No. 395-3. No additional water is being appropriated by this permit. The transferred diversion rate and volume authority will be deducted from Water Right Nos. 1347-3 and 5710-3 and priority dates for diversion rate and volume will be retained based on the water right where the diversion rate or volume originated.
2. The water appropriated shall be used for the purpose of municipal use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 7361-3 is September 17, 2012.
5. The dates from which applicant may claim right are as follows:

January 10, 1967 (established by Water Right No. 1347-3) for 719 AF volume authority and
January 4, 1989 (established by Water Right No. 5710-3) for 1.45 cfs diversion rate
6. One-fifth of the construction is to be completed on or before October 17, 2015.
7. All construction is to be completed on or before September 17, 2017.
8. Water is to be put to beneficial use on or before September 17, 2021.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

(continued)

QUALIFICATIONS

1. If development and pumping of the well authorized by Water Right No. 395-3 results in impairment of adequate domestic wells or adequate wells having prior water rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriate rights does so without regard to whether lowered ground water levels are due to drought, the location of the domestic wells in the aquifer, or thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
2. Water Permit No. 7361-3 and Water Right No. 395-3, combined, authorizes a total annual diversion of 2,978 acre feet of water at a rate of 4.57 cubic feet of water per second.
3. The City of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn from the Sioux Falls Management Unit of the Big Sioux Aquifer.

WATER MANAGEMENT BOARD

By: *Jeanne Goodman*

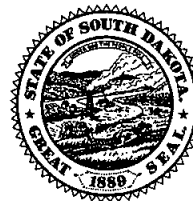
Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

APR 12 2013

date



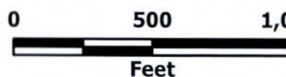


Well 31

1,000' West and 2,600' South of the Center of Section 20, T 102 N, R 49 W of the 5th P.M.,
Minnehaha County, South Dakota



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Map Date: May 18, 2012
Image Date: April 28, 2008

Map prepared by
Chris Anderson, GIS Technician, City of Sioux Falls

Christopher J. Anderson

NEW LATERAL SCREEN DESIGN AND INSTALLATION

Rehabilitation of Sioux Falls, South Dakota Collector Wells 30 and 31 was conducted between January and May 1990. The work included removing the old valves and installing plates to cover and abandon the old laterals; installing a temporary pump and discharge pipe for use during construction and testing; cutting new ports in the caisson walls and installing new stainless steel lateral port assemblies; projecting new laterals equipped with 8-inch diameter type 304 stainless steel wire-wound screen; developing the new lateral screens; installing new valves; and final performance testing.

Collector No. 30 was equipped with three (3) new laterals totalling 338 feet in length. Four (4) new laterals were installed in Collector No. 31 totalling 432 feet. Each lateral contains a 10 foot length of blank pipe at the caisson end. Some laterals have all one slot size, some have varying slot sizes for different screen intervals. Section and Plan Views of Collectors 30 and 31 with the new lateral orientations and slots sizes are illustrated in Figures 2 and 3, respectively. The new lateral screen design parameters and mechanical capacities of each Collector are shown in Tables 1 and 2.

COLLECTOR 31

The following values were determined for Collector 31:

Test Equilibrium Conditions

$$Q_1 = 1900 \text{ gpm}$$

$$s_1 = 1414.77 - 1397.00 = 17.77 \text{ feet}$$

$$m_1 = \frac{(1414.77 - 1381.54) + (1397.00 - 1381.54)}{2} = 24.35 \text{ feet}$$

$$V_1 = 1.20 \text{ (Temperature } 48^\circ\text{F)}$$

Design Conditions

$$s_2 = 1414.77 - 1393.50 = 21.27 \text{ feet}$$

$$m_2 = \frac{(1414.77 - 1381.54) + (1393.50 - 1381.54)}{2} = 22.87 \text{ feet}$$

$$V_2 = 1.16 \text{ (Temperature } 50^\circ\text{F)}$$

By substitution in Equation No. 1 maximum sustained yield from Collector 31, under conditions of static level 1414.77 feet MSL, river level 1420.70 and assuming a design pumping level at 10 feet above centerline of laterals, is:

$$Q_2 = \frac{1900 \times 21.27 \times 22.87}{17.77 \times 24.35} = 2136 \text{ gpm at } 49^\circ\text{F}$$

OR

$$Q_2 = \frac{2136 \times 1.20}{1.16} = 2209 \text{ gpm at } 50^\circ\text{F}$$

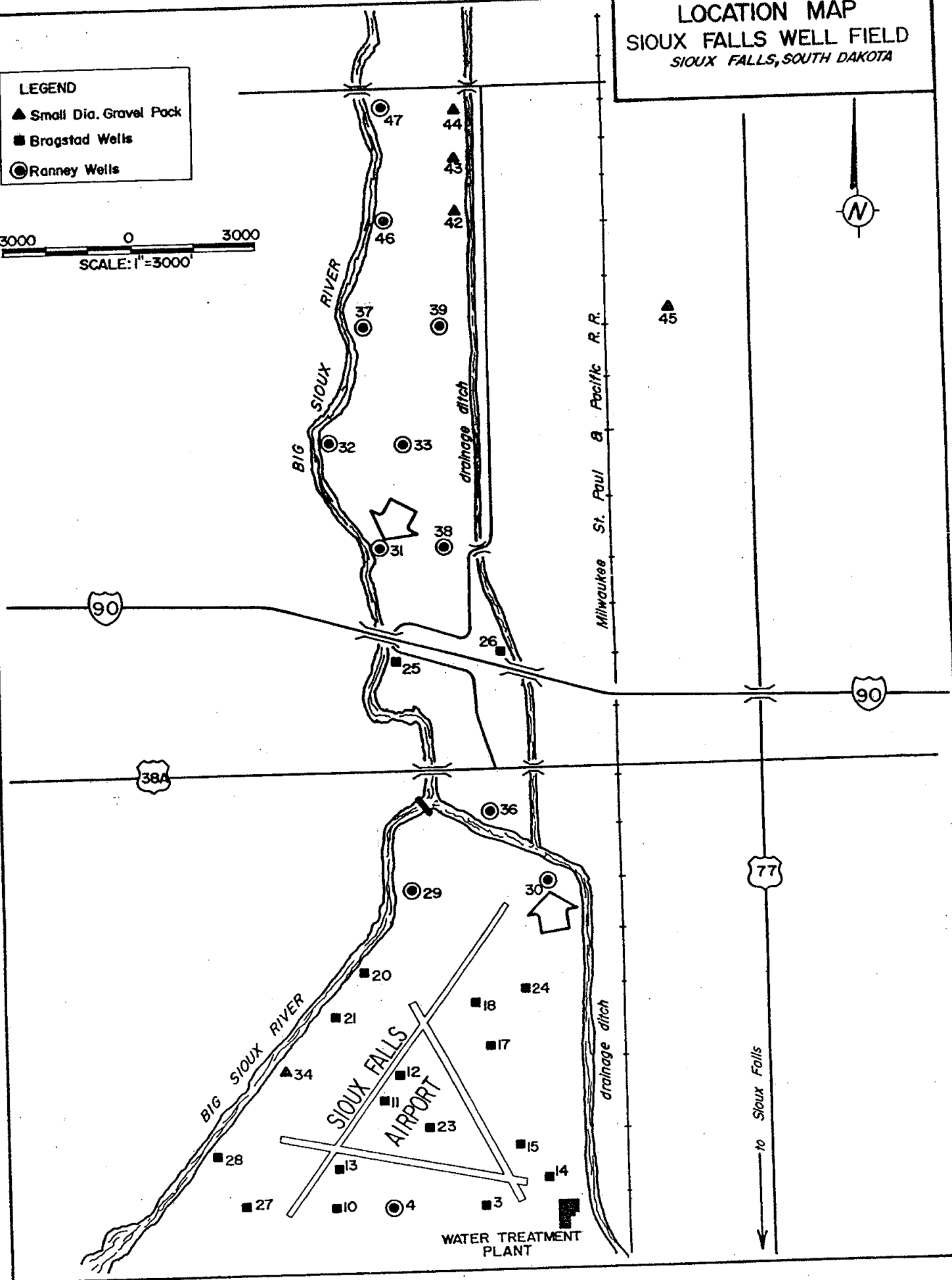
Therefore, although the mechanical capacity of Collector 31 is 3570 gpm, long term sustained yield of the well is 2200 gpm as computed above. Short term yield is estimated at 2500 to 3200 gpm.

LOCATION MAP SIOUX FALLS WELL FIELD SIOUX FALLS, SOUTH DAKOTA

LEGEND

- ▲ Small Dia. Gravel Pack
- Brogstad Wells
- Ranney Wells

3000 0 3000
SCALE: 1"=3000'



PUMPING RATE: 1400 GPM (May 1990)
DISCHARGE TEMPERATURE = 49 °F

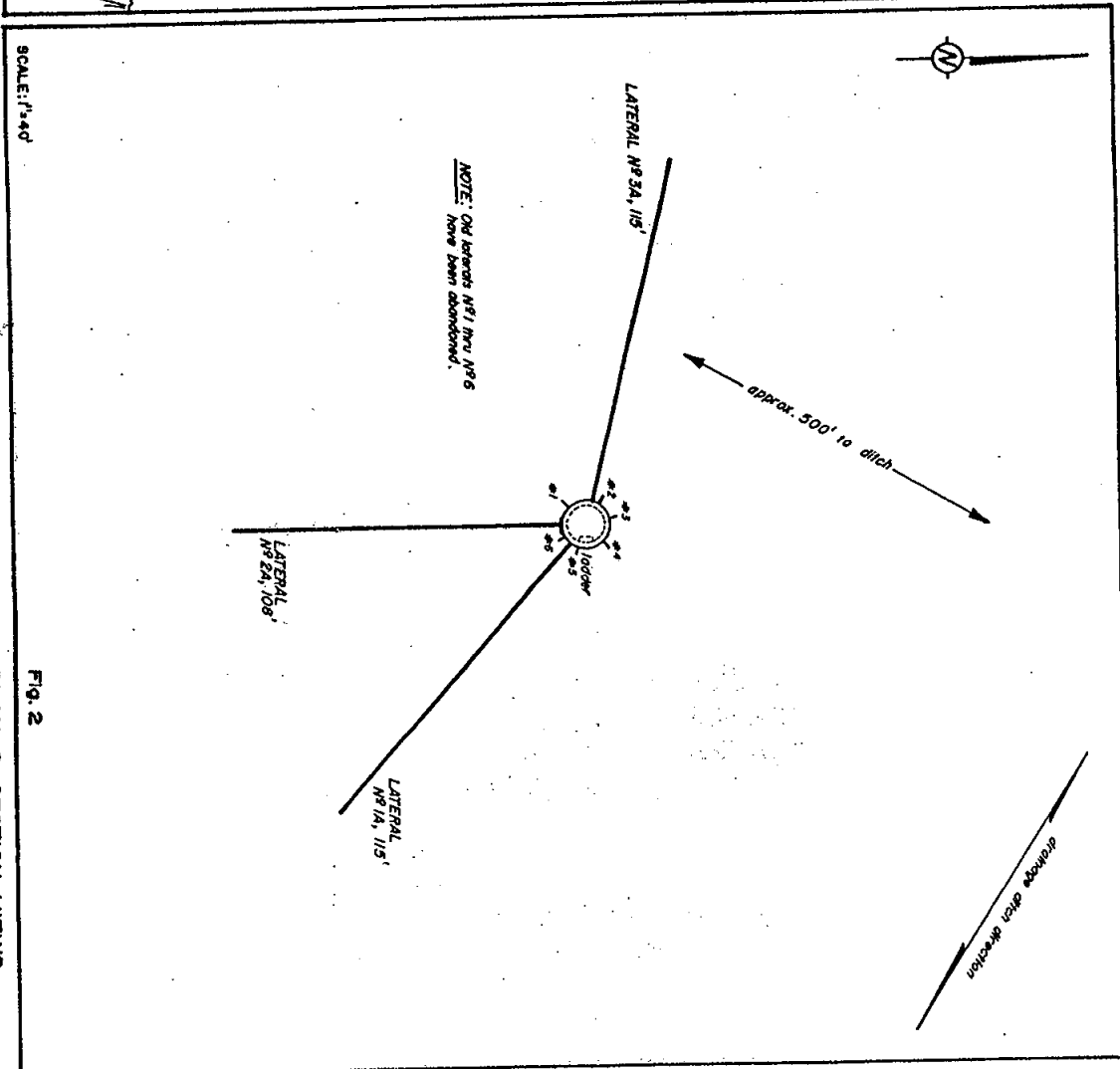
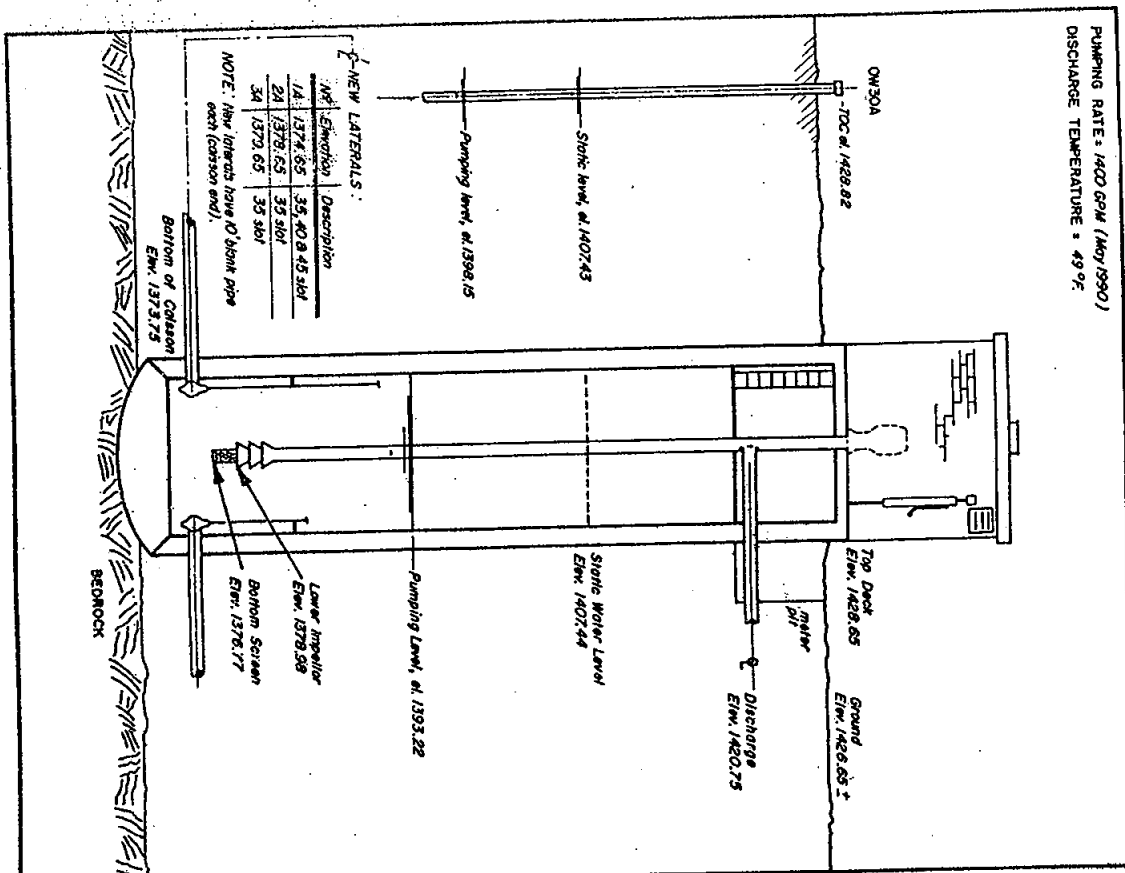


FIG. 2
PLAN & SECTION VIEWS
RAINEY WELL NO. 30
Sioux Falls, South Dakota

We will receive
5/29



Vendor Number:
0001207

Name / Address:
SD DEPT OF ENVIRONMENT AND
NATURAL RESOURCES
DEPT OF REVENUE
523 EAST CAPITOL
PIERRE SD 575013182

Email Address to send remittance notice to:
sandy.verhelst@state.sd.us

Payment Date:
Funds will be received at your financial institution on the following Monday.

Payment Number:
0025294

Payment Amount:
900.00

Bank Code (for City's purposes)
00

Please apply the payment of the items noted below to our account.
The total amount noted above will be processed by the bank electronically.

Invoice Information	Invoice Amount	Retainage Amount	Discount Amount	PO Number	Project
APP FEE WELL 32	300.00	0.00	0.00	237611	
WELL 29 LIC FEE	300.00	0.00	0.00	237554	
WELL 31 LIC FEE	300.00	0.00	0.00	237554	

If you have any questions regarding this ACH payment, please contact the Finance department at (605) 367-8860.

City of Sioux Falls



CITY OF SIOUX FALLS
PUBLIC WORKS

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Administration

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8600 F: 367-8114

Engineering/Real Estate

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8601 F: 367-4310

Environmental

1203 North Western Avenue
Sioux Falls, SD 57104-1201
T: 605-367-8276 F: 367-4886

Fleet Management

1000 East Chambers Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8240 F: 367-8239

GIS

132 North Dakota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8651 F: 367-8113

Household Hazardous Waste Facility/Sustainability

1015 East Chambers Street
Sioux Falls, SD 57104-7200
T: 605-367-8695 F: 367-4993

Landfill

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8162 F: 367-8167

Light

2000 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-373-6979 F: 373-6974

Street

1000 East Chambers Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8255 F: 367-8200

Utility Billing

1201 North Western Avenue
P.O. Box 7401
Sioux Falls, SD 57117-7401
T: 605-367-8131 F: 367-7341

Utility Maintenance

668 West Algonquin Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8810 F: 367-7883

Water Purification

2100 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-373-6940 F: 373-6941

Water Reclamation

4500 North Sycamore Avenue
Sioux Falls, SD 57104-9612
T: 605-367-8188 F: 367-8484

May 16, 2012

Mr. Eric Gronlund
SD Department of Environment and Natural Resources
Water Rights Program
Joe Foss Building
523 Capitol
Pierre, SD 57501

Dear Mr. Gronlund,

Enclosed is the application to amend the appropriation of water for the City of Sioux Falls under Water License No. 395-3 for Well No. 31. Well No. 31 was constructed in 1957 and then rehabilitated in 1990. Water License No. 395-3, issued in 1957, appropriated 3.12 cfs with an annual volume limit of 2,259 acre feet of water.

The City completed work in 1990 that increased the capacity of Well No. 31. The City is requesting to transfer existing diversion authority of 1.79 cfs and 1,296 AF from permit No. 5710-3 to this horizontal collector well. The City requests this transfer to maximize the pumping potential from this horizontal collector well. The existing diversion authority under permit No. 395-3 of 3.12 cfs added to the transfer of 1.79 cfs from permit 5710-3 will provide a total of 4.91 cfs and 3,555 AF to Well No. 31.

The City abandoned three gravel pack wells (60, 61, and 62) covered under permit 5710-3 with a total combined abandoned diversion authority of 4.34 cfs and 3,142 AF. The abandoned diversion authority from permit 5710-3 will provide the requested diversion authority to permit 395-3. Granting the partial diversion authority from permit 5710-3 will leave a total of 2.55 cfs and 1,846 AF remaining on permit 5710-3.

It is the intent of the City to request a transfer of the remaining abandoned diversion authority from permit 5710-3 to other existing City wells to maximize their pumping potential and to account for and keep the abandoned diversion authority of 2.55 cfs and 1,546 AF from permit 5710-3.

If you have any questions, please contact me at 605-373-6940. Thank you for your attention to this matter

Sincerely,

Greg Anderson
Water Superintendent
City of Sioux Falls
605-373-6940

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City of Sioux Falls



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Sioux Falls, SD 57104-1201
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1015 East Chambers Street
Sioux Falls, SD 57104-7200
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Landfill

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
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2000 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-373-6979 F: 373-6974

Street

1000 East Chambers Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8255 F: 367-8200

Utility Billing

1201 North Western Avenue
P.O. Box 7401
Sioux Falls, SD 57117-7401
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668 West Algonquin Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8810 F: 367-7883

Water Purification

2100 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-373-6940 F: 373-6941

Water Reclamation

4500 North Sycamore Avenue
Sioux Falls, SD 57104-9612
T: 605-367-8188 F: 367-8484

June 7, 2012

Mr. Eric Gronlund

SD Department of Environment and Natural Resources

Water Rights Program

Joe Foss Building

523 Capitol

Pierre, SD 57501

Dear Mr. Gronlund,

Enclosed is the application to amend the appropriation of water for the City of Sioux Falls under Water License No. 396-3 for Well No. 32. Well No. 32 was constructed in 1956 and then rehabilitated in 1989. Water License No. 396-3, issued in 1957, appropriated 3.12 cfs with an annual volume limit of 2,259 acre feet of water.

The City completed work in 1989 that increased the capacity of Well No. 32. The City is requesting to transfer existing diversion authority of 1.45 cfs from permit No. 5710-3 to this horizontal collector well. The City is requesting to transfer existing volume authority of 719 AF from permit No. 1347-3 to Well No. 32. The City requests this transfer to maximize the pumping potential from this horizontal collector well. The existing diversion authority under permit No. 396-3 of 3.12 cfs added to the transfer of 1.45 cfs from permit 5710-3 and 719 AF from permit 1347-3 will provide a total of 4.57 cfs and 2,978 AF to Well No. 32.

The City abandoned three gravel pack wells (60, 61, and 62) covered under permit 5710-3 with a total combined diversion authority of 4.34 cfs. The abandoned diversion authority from permit 5710-3 will provide the requested diversion authority to permit 396-3. Granting the partial diversion authority from permit 5710-3 will account for the remaining total of 1.45 cfs of abandoned diversion authority remaining on permit 5710-3.

The City is also requesting to transfer volume authority from permit 1347-3 in the amount of 719 AF to 396-3 to Collector Well No. 32. Transferring the volume authority from permit 1347-3 from DCII to Well No. 32 will maximize the pumping potential from Collector Well No. 32 and better use the appropriated water. This will keep a diversion rate of 5.913 cfs and 2843 AF for permit 1347-3.

If you have any questions, please contact me at 605-373-6940. Thank you for your attention to this matter

Sincerely,

A handwritten signature in black ink that reads "Greg Anderson".

Greg Anderson
Water Superintendent
City of Sioux Falls
605-373-6940

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JUN 12 2012

WATER RIGHTS
PROGRAM

Schlaak, Karen

From: Gronlund, Eric
Sent: Thursday, May 17, 2012 1:52 PM
To: Buhler, Ken
Cc: Schlaak, Karen
Subject: Sioux Falls

I'd expect to see a number of applications to transfer diversion authority to other wells to bring them up to what is considered. Primarily the diversion authority under WR 5710-3 associated with well Nos. 60, 61 & 62 which are being abandoned and with 1347-2 known as D2 which is being phased out due to levee projects.

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

The city of Sioux Falls holds Water Right No. 5710-3 authorizing diversion of 8.47 cfs from a total of six wells (Well Nos. 60, 61, 62, 63, 64 and 65).

Priority dates: January 4, 1989 for 6.45 cfs
September 4, 1992 for 2.02 cfs

On May 9, 2012, the city notified the program that Wells Nos. 60, 61 and 62 were taken out of service and plugged. The three wells are located in the SE ¼ SE ¼ Section 29, T102N, R49W.

Portions of Water Right No. 5710-3 (wells and associated diversion rates) will be scheduled for cancellation consideration. Once the Water Management Board takes action to cancel the abandoned portion of the water right, Water Right No. 5710-3 will be reissued for Well Nos. 63, 64 and 65 along with the associated diversion rates.

A breakdown of the necessary action to be taken for Water Right No. 5710-3 is listed below:

Well number and location	Diversion Rate	Action
Well #60: SE ¼ SE ¼ Section 29, T102N, R49W	700 gpm	Abandoned – to be cancelled
Well #61: SE ¼ SE ¼ Section 29, T102N, R49W	500 gpm	Abandoned – to be cancelled
Well #62: SE ¼ SE ¼ Section 29, T102N, R49W	750 gpm	Abandoned – to be cancelled

The three wells total 1,950 gpm or approximately 4.34 cfs

Well #63: NE ¼ NE ¼ Section 32, T102N, R49W	500 gpm	Authorized under reissued license
Well #64: NW ¼ SE ¼ Section 6, T101N, R49W	630 gpm	Authorized under reissued license
Well #65: SE ¼ NE ¼ Section 6, T101N, R49W	730 gpm	Authorized under reissued license

The three wells total 1,860 gpm or approximately 4.13 cfs

When the abandoned portions are cancelled and the license is reissued, a priority date of January 4, 1989 will be retained for the entire remaining diversion rate of 4.13 cubic feet per second.

File Nos. 7361-3, 7362-3, 7363-3, 5710-3, 1347-3, 299-3, 395-3, 396-3

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permits for city of Sioux Falls

ADDRESS: 2100 No Minnesota Avenue, Sioux Falls SD COUNTY: Minnehaha County

DATE: October 31, 2012 TELEPHONE:

RE: documentation of transfer of water rights

Water Permit Application Nos. 7361-3, 7362-3 and 7363-3 were approved to transfer either diversion rate authority from Water Right No 5710-3 or volume authority from Water Right No. 5710-3 or Water Right No. 1347-3 to the existing wells under Water Right Nos. 299-3, 395-3 and 396-3. This file documentation is intended to track the new quantity of water remaining in the various water rights.

The decrease in Water Right Nos. 5710-3 and 1347-3 is as follows:

Water Right ⇨	5710-3 (cfs)	5710-3 (ac-ft)		1347-3 (cfs)	1347-3 (ac-ft)
Amount prior to applications	8.47 cfs	3,220 ac-ft		5.913 cfs	4,282 ac-ft
7361-3	1.45 cfs	0		0	719 ac-ft
7362-3	1.45 cfs	0		0	719 ac-ft
7363-3	1.45 cfs	719 ac-ft		0	0
Amount Remaining after transfer	4.12 cfs	2,501 ac-ft		5.913 cfs	2,844 ac-ft

(continued)

Increases to diversion authority from wells authorized by Water Right Nos. 299-3, 395-3 and 396-3

Water Right →	299-3(cfs) & 7363-3	299-3 (ac-ft)	395-3 (cfs) & 7362-3	395-3 (ac-ft)	396-3 (cfs) & 7361-3	396-3(ac-ft)
Amount prior to applications	3.12 cfs	2259 ac-ft	3.12 cfs	2259 ac-ft	3.12 cfs	2259 ac-ft
7361-3					1.45 cfs	719 ac-ft
7362-3			1.45 cfs	719 ac-ft		
7363-3	1.45 cfs	719 ac-ft				
Amount Authorized from wells	4.57 cfs	2,978 ac-ft	4.57 cfs	2,978 ac-ft	4.57 cfs	2,978 ac-ft

NAME: Eric Stenlund



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 7361-3, City of Sioux Falls**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 7361-3, City of Sioux Falls, c/o Greg Anderson, 2100 North Minnesota Avenue, Sioux Falls SD 57104.

The Chief Engineer is recommending APPROVAL of Application No. 7361-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. If development and pumping of the well authorized by Water Right No. 395-3 results in impairment of adequate domestic wells or adequate wells having prior water rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to whether lowered ground water levels are due to drought, the location of the domestic wells in the aquifer, or thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
2. Water Permit No. 7361-3 and Water Right No. 395-3, combined, authorizes a total annual diversion of 2,978 acre feet of water at a rate of 4.57 cubic feet of water per second.
3. The City of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn from the Sioux Falls Management Unit of the Big Sioux Aquifer.

See report on application for additional information.

Garland Erbele, Chief Engineer
August 27, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NOS.
7361-3, 7362-3, AND 7363-3
CITY OF SIOUX FALLS
August 24, 2012

Water Right No. 5710-3 appropriates 3,220 acre-feet (ac-ft) of water annually at a maximum diversion rate of 8.47 cubic feet per second (cfs) from three wells located in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, one well located in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32; all in T102N-R49W, and one well located in each the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6-T101N-R49W. Water Right No. 1347-3 appropriates 4,282 ac-ft annually at a maximum diversion rate of 5.913 cfs from one well located in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8-T101N-R49W. Water Right No. 395-3 currently appropriates 2,259 ac-ft annually at a maximum diversion rate of 3.12 cfs from a well located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20-T102N-R49W. Water Right No. 396-3 currently appropriates 2,259 ac-ft annually at a maximum diversion rate of 3.12 cfs from a well located in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20-T102N-R49W. Water Right No. 299-3 currently appropriates 2,259 ac-ft annually at a maximum diversion rate of 3.12 cfs from a well located in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32-T102N-R49W. Water Rights Nos. 5710-3, 1347-3, 395-3, 396-3, and 299-3 appropriate water from the Sioux Falls management unit of the Big Sioux aquifer (BS:SF).

Water Permit Application No. 7361-3 proposes to transfer the authorization to divert 1.45 cfs from wells authorized by Water Right No. 5710-3 to a well authorized by Water Right No. 395-3 and to transfer authorization to divert 719 ac-ft annually from a well authorized by Water Right No. 1347-3 to a well authorized by Water Right No. 395-3. This application does not propose to increase the total appropriation from the BS:SF aquifer. This application, if approved, will authorize a total appropriation of 2,978 ac-ft of water annually at a maximum diversion rate of 4.57 cfs from a well authorized by Water Right No. 395-3.

Water Permit Application No. 7362-3 proposes to transfer the authorization to divert 1.45 cfs from wells authorized by Water Right No. 5710-3 to a well authorized by Water Right No. 396-3 and to transfer the authorization to divert 719 ac-ft annually from a well authorized by Water Right No. 1347-3 to a well authorized by Water Right No. 396-3. This application does not propose to increase the total appropriation from the BS:SF aquifer. This application, if approved, will authorize a total appropriation of 2,978 ac-ft of water annually at a maximum diversion rate of 4.57 cfs from a well authorized by Water Right No. 396-3.

Water Permit Application No. 7363-3 proposes to transfer the authorization to divert 1.45 cfs and 719 ac-ft annually from wells authorized by Water Right No. 5710-3 to a well authorized by Water Right No. 299-3. This application does not propose to increase the total appropriation from the BS:SF aquifer. This application, if approved, will authorize a total appropriation of 2,978 ac-ft of water annually at a maximum diversion rate of 4.57 cfs from a well authorized by Water Right No. 299-3.

Figures 1, 2, and 3 are simplified flowcharts describing the proposed transfer of diversion rate and water appropriation and the total proposed diversion rate and annual water appropriation.



Figure 1 - Water Permit Application 7361-3



Figure 2 - Water Permit Application 7362-3



Figure 3 - Water Permit Application 7363-3

AQUIFER: SIOUX FALLS MANAGEMENT UNIT OF THE BIG SIOUX AQUIFER (BS:SF)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Sioux Falls management unit of the Big Sioux aquifer is an alluvium mantled, glacial outwash deposit, which consists of silt, fine to coarse sand, and gravel (Buhler, 2011). The management unit underlies approximately 22,900 acres in Minnehaha County and contains an estimated 103,050 ac-ft of recoverable water in Minnehaha County (Hedges et. al, 1982). Most of the aquifer is under the flood plain of the Big Sioux River (Lindgren and Niehus, 1992). The aquifer is bounded to the north (near Dell Rapids) and on the south (Sioux Falls) by the relatively impermeable Sioux Quartzite (Buhler, 2011). The aquifer tends to be under unconfined conditions, and the water in the aquifer tends to move south and towards the Big Sioux River (Lindgren and Niehus, 1992).

WATER AVAILABILITY:

These applications do not propose to appropriate more water from the Sioux Falls management unit of the Big Sioux aquifer. Only, the transfer of diversion rate and annual pumping volume between existing water rights to more accurately reflect the water withdrawal system currently used by the city of Sioux Falls.

1991 Declaratory Ruling:

On November 14, 1991, through a declaratory ruling, the Water Management Board (Board) established a limitation on the annual withdrawals due to pumping by Water Permit/Right holders from the Sioux Falls management unit of the Big Sioux aquifer to 32,200 ac-ft per year (Water Rights, 1992). When this limit is approached, water use will be restricted on a priority basis until withdrawals do not exceed 32,200 ac-ft/yr. Since, these applications do not propose to increase the amount of water appropriated, and, therefore, do not increase potential withdrawals from the aquifer; these applications will not cause withdrawals from the management unit to exceed 32,200 ac-ft/yr.

EXISTING WATER RIGHTS:

Most of the water rights/permits appropriating water from the BS:SF belongs to the city of Sioux Falls. There is only one water right within 2000 feet of any of the water rights proposed to have increased diversion rate and annual withdrawal, Water Right No. 1270-3. The well supplying Water Right No. 396-3 is 1916 feet northwest and the well supplying Water Right No. 395-3 is within 500 feet of the wells supplying Water Right No. 1270-3. Water Right No. 1270-3 is licensed to irrigate 116 acres at a maximum diversion rate of 1.660 cfs. The land covered by Water Right No. 1270-3 is in the Conservation Reserve Program (CRP) through 2020. The estimated drawdown at the wells authorized by Water Right No. 1270-3 is not expected to exceed 20 feet ("Theis Equation Calculator").

Cumulative effect:

To ensure protection of domestic users and prior appropriators from any cumulative withdrawal impacts, since 1991, most of the appropriations from the Sioux Falls management unit of the Big Sioux aquifer have included the following qualification:

"If development and pumping of the Sioux Falls Management Unit of the Big Sioux Aquifer water reserved by Future Use Permit No. 5523-3 results in adverse impairment of adequate domestic wells or adequate wells having prior rights, giving preference to domestic use over appropriative rights does so without regard to 1) whether lowered ground water levels are due to drought, 2) the location of the domestic wells in the aquifer, or 3) the thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04".

CONCLUSIONS:

1. Water Right Application No. 7361-3 proposes to transfer the authority to divert water at a rate of 1.45 cfs from wells authorized by Water Right No. 5710-3 to a well authorized by Water Right No. 395-3, and transfer the authority to divert 719 ac-ft annually from Water Right No. 1347-3 to Water Right No. 395-3.
2. Water Right Application No. 7362-3 proposes to transfer the authority to divert water at a rate of 1.45 cfs from wells authorized by Water Right No. 5710-3 to a well authorized by Water Right No. 396-3, and transfer the authority to divert 719 ac-ft annually from Water Right No. 1347-3 to Water Right No. 396-3.
3. Water Right Application No. 7363-3 proposes to transfer the authority to divert water at a rate of 1.45 cfs from wells authorized by Water Right No. 5710-3 to a well authorized by Water Right No. 299-3, and transfer the authority to divert 719 ac-ft annually from Water Right No. 5710-3 to Water Right No. 299-3.
4. If this application is approved, Water Right Nos. 395-3, 396-3, and 299-3 will each authorize the appropriation of 2,978 ac-ft of water annually at a maximum diversion rate of 4.57 cfs.
5. These water right applications do not propose to increase the total appropriation of water from the Sioux Falls management unit of the Big Sioux aquifer.
6. The estimated drawdown at Water Right No. 1270-3 is acceptable and should not be an issue.
7. There is a reasonable probability that there will be no adverse impact to existing wells.
8. These applications will not cause withdrawals to exceed the 32,200 ac-ft/yr withdrawal limit for the Sioux Falls management unit of the Big Sioux aquifer, as set by the Water Management Board November 14, 1991 Declaratory Ruling.
9. If approved this permit should contain the same qualifications as Future Use Permit No. 448-3 and Water Rights issued since the Water Management Board's declaratory ruling hearing regarding impairment. The qualification reads:

"If development and pumping of the well authorized by [this permit] results in impairment of adequate domestic wells or adequate wells having prior water rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to whether lowered ground water levels are due to drought, the location of the domestic wells in the aquifer, or thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04".



Adam Mathiowetz
SD DENR-Water Rights Program

REFERENCES:

- Buhler, K. 2011. Report on Water Permit Application No. 7247-3 Sioux Falls Regional Airport. SD DENR-Water Rights Program, Joe Foss Building, Pierre, SD.
- Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, and R.A. Schoon. 1982. Evaluation of Ground-Water Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, Task 1: Bedrock Topography and Distribution, Task 2: Extent of Aquifers, Task 3: Ground-Water Storage, Task 4: Computerized Data Base, Final Report. U.S. Army Corps of Engineers Contract DACW 45-80-C-0185.
- “Theis Equation Calculator”. 2012.< <http://www.icalcul8.com/theis.php>>. Accessed: 8 Aug 2012.
- Koch, N.C. 1982. A Digital-Computer Model of the Big Sioux Aquifer in Minnehaha County, South Dakota. Water –Resources Investigations Report 82-4064. U.S. Geological Survey. Huron, SD.
- Lindgren, R.J. and C.A. Niehus. 1992. Water Resource of Minnehaha County, South Dakota. Water-Resources Investigations Report 91-4101. U.S. Geological Survey. Huron, SD.
- Water Rights. 1992. “November 14,1991 Water Management Board Minutes”. S.D. DENR-Water Rights Program. Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012. Water Right/Permit Files. SD DENR-Water Rights Program, Joe Foss Bldg., Pierre, SD.

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LINCOLN

ANDY WILCOX

being first duly sworn on his oath says; that the Sioux Valley News is a legal weekly newspaper of general circulation as required by South Dakota Code of Nineteen Hundred Thirty-Nine, and any acts amendatory thereto, printed and published by the Sioux Valley News, Inc., in Canton, in said county and State, and has been such legal newspaper during the time hereinafter mentioned; that he is and during all of said time was publisher of said newspaper and has personal knowledge of the facts stated in this affidavit; that the advertisement headed:

City of Sioux Falls DENR Notice

a printed copy of which is hereto attached, was printed and published in said newspaper for ONE successive week(s) upon the following dates, to-wit:

September 6, 2012

that the full amount of the fees charged for publishing the same to-wit: the sum of \$63.90 inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

Ascribed and sworn to before me this 6th day of
September, 2012.

Notary Public, South Dakota

(Seal)



My Commission Expires
12/9/2014

RECEIVED

OCT - 1 2012

WATER RIGHTS
PROGRAM

NOTICE OF WATER PERMIT APPLICATION NOS. 7361-3, 7362- 3, AND 7363-3 FOR THE CITY OF SIOUX FALLS

Notice is given that the City of Sioux Falls Water Purification, c/o Greg Anderson, 2100 N. Minnesota Ave., Sioux Falls, SD 57104 has filed the following applications for a water permit:

Application No. 7361-3 proposes to transfer existing diversion authority from Water Rights No. 5710-3 and volume authority from Water right No. 1347-3 to the well authorized by Water Right No. 395-3. The water source is the Sioux Falls Management Unit of the Big Sioux Aquifer. Water Right No. 5710-3 appropriated 3,220 acre-feet of water annually at a maximum rate of 8.47 cubic feet of water per second (CFS) from six wells located in SE 1/4 SE 1/4 Section 29, NE 1/4 NE 1/4 Section 32; all in T102N-R49W and SE 1/4 NE 1/4 NW 1/4 SE 1/4 Section 6-T101N-R49W. Water Right No. 1347-3 currently appropriated 4,282 acre feet annually at a diversion rate of 5.913 cfs from a well located in SW 1/4 SW 1/4 Section 4, T101N, R49W. The city is requesting to transfer 1.45 cfs of the diversion authority held under Water Rights No. 5710-3 to Well 31 (51 feet deep) located in the SE 1/4 SW 1/4 Section 20-T102N-R49W authorized by Water Rights No. 395-3 which currently appropriated 2,259 acre feet of water at a diversion rate of 3.12 cfs. In addition, the application seeks to transfer 719 acre feet of authority on a volume basis from Water Rights No. 1347-3 to Water Rights No. 395-3. This application, if approved, will authorize a total appropriation of 2,978 acre-feet of water annually at a maximum diversion rate of 4.57 cfs to Well 31 authorized by Water Rights No. 395-3. No additional water is being appropriated by this application. The transferred diversion rate and volume authority will be deducted from Water Rights Nos. 1347-3 and 5710-3 and priority dates for diversion rate and volume will be retained based on the water right where the diversion rate or volume originated.

Application No. 7362-3 proposes to transfer existing diversion authority from Water Right No. 5710-3 and

volume authority from Water Right No. 1347-3 to the well authorized by Water Right No. 396-3. The water source is the Sioux Falls Management Unit of the Big Sioux Aquifer. Water Rights Nos. 1347-3 and 5710-3 are described above in Application No. 7361-3. The city is requesting to transfer 1.45 cfs of the diversion authority held under Water Right No. 5710-3 to Well 32 (51 feet deep) located in the NW 1/4 SW 1/4 Section 20-T102N-R49W authorized by Water Right 396-3, which currently appropriated 2,259 acre feet of water at a diversion rate of 3.12 cfs. In addition, the application seeks to transfer 719 acre feet of authority on a volume basis from Water Right No. 1347-3 to Water Right No. 396-3. This application, if approved, will authorize a total appropriation of 2,978 acre-feet of water annually at a maximum diversion rate of 4.57 cfs to Well 32 authorized by Water Right No. 396-3. No additional water is being appropriated by this application. The transfer diversion rate and volume will be deducted from Water Right Nos. 1347-3 and 5710-3 and priority dates for diversion rate and volume will be retained based on the water right where the diversion rate of volume originated.

Application No. 7363-3 proposes to transfer existing diversion authority and volume from Water Right No. 5710-3 to the well authorized by Water Right No. 299-3. The water source is the Sioux Falls Management Unit of the Big Sioux Aquifer. The city is requesting to transfer 1.45 cfs and 719 acre-feet of the diversion authority held under Water Right No. 5710-3 (described above) to Well 29 (47 feet deep) located in the NE 1/4 SW 1/4 Section 32-T102N-R49W authorized by Water Rights No. 299-3 which currently appropriates 2,259 acre feet of water at a diversion rate of 3.12 cfs. This application, if approved, will authorize a total of 2,978 acre-feet of water annually at a maximum diversion rate of 4.57 cfs to Well 29 authorized by No. 299-3. No additional water is being appropriated by this application. The transferred diversion rate and volume authority will be deducted from Water Right No. 5710-3 and priority dates for diversion rate

and volume will be retained based on the water right where the diversion rate or volume originated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 2012-0001 and 736-0001 because: 1) it will not be unduly impaired; 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 17, 2012.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications.

Steven M. Pirner, Secretary,
Department of Environment and
Natural Resources.

Published in the Sioux Valley News
on September 6, 2012 at the total
approximate cost of \$63.90.



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WATER RIGHTS
PROGRAM

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Department of Environment and Natural Resources
 Water Rights Program
 523 E Capitol Ave., Joe Foss Building
 Pierre, SD 57501

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PAYMENT DUE UPON RECEIPT

*paid by
City of Sioux
Falls*

WATER PERMIT APPLICATION

AFFIDAVIT OF PUBLICATION-

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 Invoice Number: 1392692

Attn: Lila Magedanz

Argus Leader

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA } ss

Linda Schulte being duly sworn, says: That The Argus Leader is, and during all the times hereinafter mentioned was, a daily legal newspaper as defined by SDCL 17-2-21, as amended published at Sioux Falls, Minnehaha County, South Dakota; that affiant is and during all of said times, was an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is hereto attached, was published in said newspaper upon

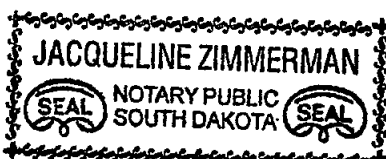
Thursday, the 6 day of September 2012,
 _____, the _____ day of _____ 2012,
 _____, the _____ day of _____ 2012,
 _____, the _____ day of _____ 2012,
 _____, the _____ day of _____ 2012,
 _____, the _____ day of _____ 2012,
 _____, the _____ day of _____ 2012,

and that \$114.86 was charged for publishing the same

Linda Schulte
 Subscribed and sworn to before me 9/6/2012

J. Zimmerman
 Notary Public, South Dakota

My Commission expires December 22, 2015



City Business

NOTICE OF WATER PERMIT
 APPLICATION NOS. 7361-3,
 7362-3 and 7363-3
 for the City of Sioux Falls
 Notice is given that the City
 of Sioux Falls Water Purifica-
 tion, c/o Greg Anderson, 2100
 N Minnesota Ave, Sioux Falls
 SD 57104 has filed the follow-
 ing applications for a water
 permit.

Application No. 7361-3 pro-
 poses to transfer existing diver-
 sion authority from Water Right
 No. 5710-3 and volume author-
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 3 to the well authorized by Wa-
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 1.45 cfs of the diversion au-
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 plication. The transferred diver-
 sion rate and volume authority
 will be deducted from Water
 Right Nos. 1347-3 and 5710-3
 and priority dates for diversion
 rate and volume will be re-
 tained based on the water right
 where the diversion rate or vol-
 ume originated.

Application No. 7362-3 pro-
 poses to transfer existing diver-
 sion authority from Water Right
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 ity from Water Right No. 1347-
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 ter Right No. 396-3. The water
 source is the Sioux Falls Man-
 agement Unit of the Big Sioux
 Aquifer. Water Right Nos.
 1347-3 and 5710-3 are describ-
 ed above in Application No.
 7361-3. The city is requesting
 to transfer 1.45 cfs of the diver-
 sion authority held under Wa-
 ter Right No. 5710-3 to Well 32
 (51 feet deep) located in the
 NW 1/4 SW 1/4 Section 20-

T102N-R49W authorized by
 Water Right No. 396-3 which
 currently appropriates 2,259
 acre feet of water at a diver-
 sion rate of 3.12 cfs. In addi-
 tion, the application seeks to
 transfer 719 acre feet of au-
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 where the diversion rate or vol-
 ume originated.

Application No. 7363-3 pro-
 poses to transfer existing diver-
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 by Water Right No. 299-3. The
 water source is the Sioux Falls
 Management Unit of the Big
 Sioux Aquifer. The city is re-
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 and 719 acre-feet of the diver-
 sion authority held under Wa-
 ter Right No. 5710-3 (described
 above) to Well 29 (47 feet
 deep) located in the NE 1/4
 SW 1/4 Section 32-T102N-
 R49W authorized by Water
 Right No. 299-3 which current-
 ly appropriates 2,259 acre feet
 of water at a diversion rate of
 3.12 cfs. This application, if ap-
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 ditional water is being appropri-
 ated by this application. The
 transferred diversion rate and
 volume authority will be de-
 ducted from Water Right No.
 5710-3 and priority dates for di-
 version rate and volume will be
 retained based on the water
 right where the diversion rate
 or volume originated.

Pursuant to SDCL 46-2A-2,
 the Chief Engineer recom-
 mends APPROVAL of Applica-
 tion Nos. 7361-3, 7362-3 and
 7363-3 because 1) existing
 rights will not be unlawfully
 impaired, 2) it is a beneficial
 use of water, and 3) it is in the
 public interest. In accordance
 with SDCL 46-2A-23, the Chief
 Engineer will act on these ap-
 plications, as recommended,
 unless a petition is filed oppos-
 ing the applications or the ap-
 plicant files a petition contesting
 the Chief Engineer's recom-
 mendations. If a petition op-
 posing the applications or con-
 testing the recommendations is
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 scheduled and the Water Man-
 agement Board will consider
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 the hearing will be given to the
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 a petition.

Any person interested in op-
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 plications or recommendations
 must file a written petition with
 BOTH the applicant and Chief
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 Chief Engineer's recommenda-
 tions. The Chief Engineer's ad-
 dress is "Water Rights Pro-
 gram, Foss Building, 523 E
 Capitol, Pierre SD 57501 (605-
 773-3352)" and the applicant's
 mailing address is given
 above. A petition filed by either
 an interested person or the ap-
 plicant must be filed by Sep-
 tember 17, 2012.

Published once at the total ap-
 proximate cost of \$114.86.
 1392692 Sept. 6, 2012



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

August 28, 2012

Sioux Valley News
PO Box 255
Canton SD 57013

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7361-3, 7362-3 and 7363-3 to Appropriate Water. Please publish the notice once on September 6, 2012. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is City of Sioux Falls, c/o Greg Anderson, 2100 N. Minnesota Ave., Sioux Falls SD 57104 (Ph # 605-373-6940).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

August 28, 2012

Argus Leader
PO Box 5034
Sioux Falls SD 57117

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application Nos. 7361-3, 7362-3 and 7363-3 to Appropriate Water. Please publish the notice once on September 6, 2012. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is City of Sioux Falls, c/o Greg Anderson, 2100 N. Minnesota Ave., Sioux Falls SD 57104 (Ph # 605-373-6940).

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Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

August 28, 2012

City of Sioux Falls
Greg Anderson
2100 N Minnesota Ave
Sioux Falls SD 57104

Dear Mr. Anderson:

Water Permit Application Nos. 7361-3, 7362-3 and 7363-3 for municipal use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Argus Leader printed at Sioux Falls SD (Ph # 605-331-2200) and the Sioux Valley News printed at Canton SD (Ph# 605-296-3181). You will need to contact the newspaper(s) and authorize publication of this notice. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper(s) has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the applications.

Instruction to Newspaper - Publish the Notice on September 6, 2012. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF WATER PERMIT APPLICATION NOS. 7361-3, 7362-3 and 7363-3 for the City of Sioux Falls

Notice is given that the City of Sioux Falls Water Purification, c/o Greg Anderson, 2100 N Minnesota Ave, Sioux Falls SD 57104 has filed the following applications for a water permit.

Application No. 7361-3 proposes to transfer existing diversion authority from Water Right No. 5710-3 and volume authority from Water Right No. 1347-3 to the well authorized by Water Right No. 395-3. The water source is the Sioux Falls Management Unit of the Big Sioux Aquifer. Water Right No. 5710-3 appropriates 3,220 acre-feet of water annually at a maximum rate of 8.47 cubic feet of water per second (cfs) from six wells located in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32; all in T102N-R49W and SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6-T101N-R49W. Water Right No. 1347-3 currently appropriates 4,282 acre feet annually at a diversion rate of 5.913 cfs from a well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T101N, R49W. The city is requesting to transfer 1.45 cfs of the diversion authority held under Water Right No. 5710-3 to Well 31 (51 feet deep) located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20-T102N-R49W authorized by Water Right No. 395-3 which currently appropriates 2,259 acre feet of water at a diversion rate of 3.12 cfs. In addition, the application seeks to transfer 719 acre feet of authority on a volume basis from Water Right No. 1347-3 to Water Right No. 395-3. This application, if approved, will authorize a total appropriation of 2,978 acre-feet of water annually at a maximum diversion rate of 4.57 cfs to Well 31 authorized by Water Right No. 395-3. No additional water is being appropriated by this application. The transferred diversion rate and volume authority will be deducted from Water Right Nos. 1347-3 and 5710-3 and priority dates for diversion rate and volume will be retained based on the water right where the diversion rate or volume originated.

Application No. 7362-3 proposes to transfer existing diversion authority from Water Right No. 5710-3 and volume authority from Water Right No. 1347-3 to the well authorized by Water Right No. 396-3. The water source is the Sioux Falls Management Unit of the Big Sioux Aquifer. Water Right Nos. 1347-3 and 5710-3 are described above in Application No. 7361-3. The city is requesting to transfer 1.45 cfs of the diversion authority held under Water Right No. 5710-3 to Well 32 (51 feet deep) located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20-T102N-R49W authorized by Water Right No. 396-3 which currently appropriates 2,259 acre feet of water at a diversion rate of 3.12 cfs. In addition, the application seeks to transfer 719 acre feet of authority on a volume basis from Water Right No. 1347-3 to Water Right No. 396-3. This application, if approved, will authorize a total appropriation of 2,978 acre-feet of water annually at a maximum diversion rate of 4.57 cfs to Well 32 authorized by Water Right No. 396-3. No additional water is being appropriated by this application. The transferred diversion rate and volume authority will be deducted from Water Right Nos. 1347-3 and 5710-3 and priority dates for diversion rate and volume will be retained based on the water right where the diversion rate or volume originated.

Application No. 7363-3 proposes to transfer existing diversion authority and volume authority from Water Right No. 5710-3 to the well authorized by Water Right No. 299-3. The water source is the Sioux Falls Management Unit of the Big Sioux Aquifer. The city is requesting to transfer 1.45 cfs and 719 acre-feet of the diversion authority held under Water Right No. 5710-3 (described above) to Well 29 (47 feet deep) located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32-T102N-R49W authorized by Water Right No. 299-3 which currently appropriates 2,259 acre feet of water at a diversion rate of 3.12 cfs. This application, if approved, will authorize a total of 2,978 acre-feet of water annually at a maximum diversion rate of 4.57 cfs to Well 29 authorized by No. 299-3. No additional water is being appropriated by this application. The transferred diversion rate and volume authority will be deducted from Water Right No. 5710-3 and priority dates for diversion rate and volume will be retained based on the water right where the diversion rate or volume originated.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 7361-3, 7362-3 and 7363-3 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on these applications, as recommended, unless a petition is filed opposing the applications or the applicant files a petition contesting the Chief Engineer's recommendations. If a petition opposing the applications or contesting the recommendations is filed, then a hearing will be scheduled and the Water Management Board will consider these applications. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting these applications or recommendations must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 17, 2012.

The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to these applications. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.
Published once at the total approximate cost of_____.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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APR 12 2013

City of Sioux Falls Water Purifications
2100 N Minnesota Ave
Sioux Falls SD 57104

Dear Sir:

Enclosed are Water Permit Nos. 7361-3, 7362-3 and 7363-3 authorizing construction of your water diversion systems and beneficial use of the water, not exceeding the limits as specified in the Water Permits.

Form 10's, *Notice of Completion of Works and Application of Water to Beneficial Use*, are enclosed. Please return the completed forms after you have finished the systems and have put the water to beneficial use. An investigation can then be scheduled so the water licenses may be issued, thus completing the acquisition of a water right.

An informational sheet ? *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

File Nos. 7361-3, 7362-3, 7363-3, 5710-3, 1347-3, 299-3, 395-3, 396-3**Water Rights Program - DENR
Conversation File Documentation**

NAME OF PERSON OR FILE: Water Permits for city of Sioux Falls

ADDRESS: 2100 No Minnesota Avenue, Sioux Falls SD COUNTY: Minnehaha County

DATE: October 31, 2012 TELEPHONE:

RE: documentation of transfer of water rights

Water Permit Application Nos. 7361-3, 7362-3 and 7363-3 were approved to transfer either diversion rate authority from Water Right No 5710-3 or volume authority from Water Right No. 5710-3 or Water Right No. 1347-3 to the existing wells under Water Right Nos. 299-3, 395-3 and 396-3. This file documentation is intended to track the new quantity of water remaining in the various water rights.

The decrease in Water Right Nos. 5710-3 and 1347-3 is as follows:

Water Right ⇨	5710-3 (cfs)	5710-3 (ac-ft)		1347-3 (cfs)	1347-3 (ac-ft)
Amount prior to applications	8.47 cfs	3,220 ac-ft		5.913 cfs	4,282 ac-ft
7361-3	1.45 cfs	0		0	719 ac-ft
7362-3	1.45 cfs	0		0	719 ac-ft
7363-3	1.45 cfs	719 ac-ft		0	0
Amount Remaining after transfer	4.12 cfs	2,501 ac-ft		5.913 cfs	2,844 ac-ft

(continued)

Increases to diversion authority from wells authorized by Water Right Nos. 299-3, 395-3 and 396-3

Water Right ⇒	299-3(cfs) & 7363-3	299-3 (ac-ft)	395-3 (cfs) & 7362-3	395-3 (ac-ft)	396-3 (cfs) & 7361-3	396-3(ac-ft)
Amount prior to applications	3.12 cfs	2259 ac-ft	3.12 cfs	2259 ac-ft	3.12 cfs	2259 ac-ft
7361-3			1.45 cfs	719 ac-ft		
7362-3					1.45 cfs	719 ac-ft
7363-3	1.45 cfs	719 ac-ft				
Amount Authorized from wells	4.57 cfs	2,978 ac-ft	4.57 cfs	2,978 ac-ft	4.57 cfs	2,978 ac-ft

NAME: Eric Thonley

Permit No. 7361-3, 395-3, 1347-3 & 5710-3
Big Sioux River - Water District

Contact Person & Address: **Greg Anderson, 2100 N Minnesota Ave, Sioux Falls SD 57104**

Report of Examination of Works

On, **September 21, 2017**, I made a thorough examination of the water use system constructed by **the City of Sioux Falls** holder of Permit No. **7361-3**, bearing the priority of **January 22, 1957** authorizing the diversion of **3.12** cu. ft. per second and annual volume of **2259** acre-feet (from No. **395-3**), the priority of **January 10, 1967** authorizing the diversion of **0.00** cu. ft. per second and annual volume of **719** acre-feet (from No. **1347-3**), and the priority of **September 4, 1992** authorizing the diversion of **1.45** cu. ft. per second and annual volume of **0** acre-feet (from No. **5710-3**) of the waters of **groundwater (Big Sioux Aquifer - Sioux Falls Management Unit)** for **municipal use** purposes, in **Minnehaha** County.

The system is in the following condition **good**. The point of diversion is located from the **SW corner of Sec 20 T102N-R49W 1555 feet east and 130 feet north** with a latitude of **43.61673** and a longitude of **96.74524** as determined using **GPS**. The works are capable of diverting and conveying to the place of use **4.57** cu. ft. per second of water and annual volume of **2,978** acre-feet which is to be used for **municipal use**. Water has been put to beneficial use and the license should be issued for **4.57** cfs.

Review of Permit Qualifications and Regulations:

- 1) Special qualifications to permit being abided by **yes**
- 2) All structures, wells and lands on map **yes**
- 3) Exceptions to compliance are: **none**

Report On the Specifics of the System

Diversion Point Information:

Well Information:

- | | | | |
|-------------------------------------|---------------------------------|-----------------------------------|--|
| 1) <u>Ranney coffer well</u> | 2) No. of Wells <u>1</u> | 3) Depth(s) <u>50</u> feet | 4) Well schematic is available <u>yes</u> |
|-------------------------------------|---------------------------------|-----------------------------------|--|

Casing:

- | | | |
|-------------------------------------|---------------------------------|--------------------------------|
| 1) Diameter <u>NA</u> inches | 2) Length <u>50</u> feet | 3) Type <u>Concrete</u> |
|-------------------------------------|---------------------------------|--------------------------------|

Screen: collection lateral No 1

- | | | |
|---------------------------------------|----------------------------------|---|
| 1) Type <u>Stainless Steel</u> | 2) Length <u>108</u> feet | 3) Static water level <u>20.3</u> feet |
|---------------------------------------|----------------------------------|---|

Screen: collection lateral No 2

- | | | |
|---------------------------------------|----------------------------------|---|
| 1) Type <u>Stainless Steel</u> | 2) Length <u>108</u> feet | 3) Static water level <u>20.3</u> feet |
|---------------------------------------|----------------------------------|---|

Screen: collection lateral No 3

- | | | |
|---------------------------------------|----------------------------------|---|
| 1) Type <u>Stainless Steel</u> | 2) Length <u>108</u> feet | 3) Static water level <u>20.3</u> feet |
|---------------------------------------|----------------------------------|---|

Screen: collection lateral No 4

- | | | |
|---------------------------------------|----------------------------------|---|
| 1) Type <u>Stainless Steel</u> | 2) Length <u>108</u> feet | 3) Static water level <u>20.3</u> feet |
|---------------------------------------|----------------------------------|---|

Pump:

- | | | | |
|--------------------------|--------------------------------|--------------------------|------------------------------------|
| 1) Make <u>NA</u> | 2) Model <u>Turbine</u> | 3) Size <u>NA</u> | 4) Capacity <u>2051</u> GPM |
|--------------------------|--------------------------------|--------------------------|------------------------------------|

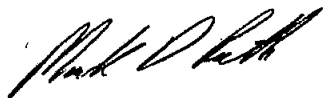
Motor:

- | | | |
|-------------------------------------|----------------------------------|---|
| 1) Make <u>US Electrical</u> | 2) Model No. <u>TP444</u> | 3) Horsepower rating <u>100</u> hp |
|-------------------------------------|----------------------------------|---|

DISTRIBUTION LINES OR CANALS:

1) Type municipal distribution system

Comments: none



Mark D. Rath
Natural Resources Engineer III
DENR, Water Rights Program

September 26, 2017

16 7361-3
SF WELL No 31

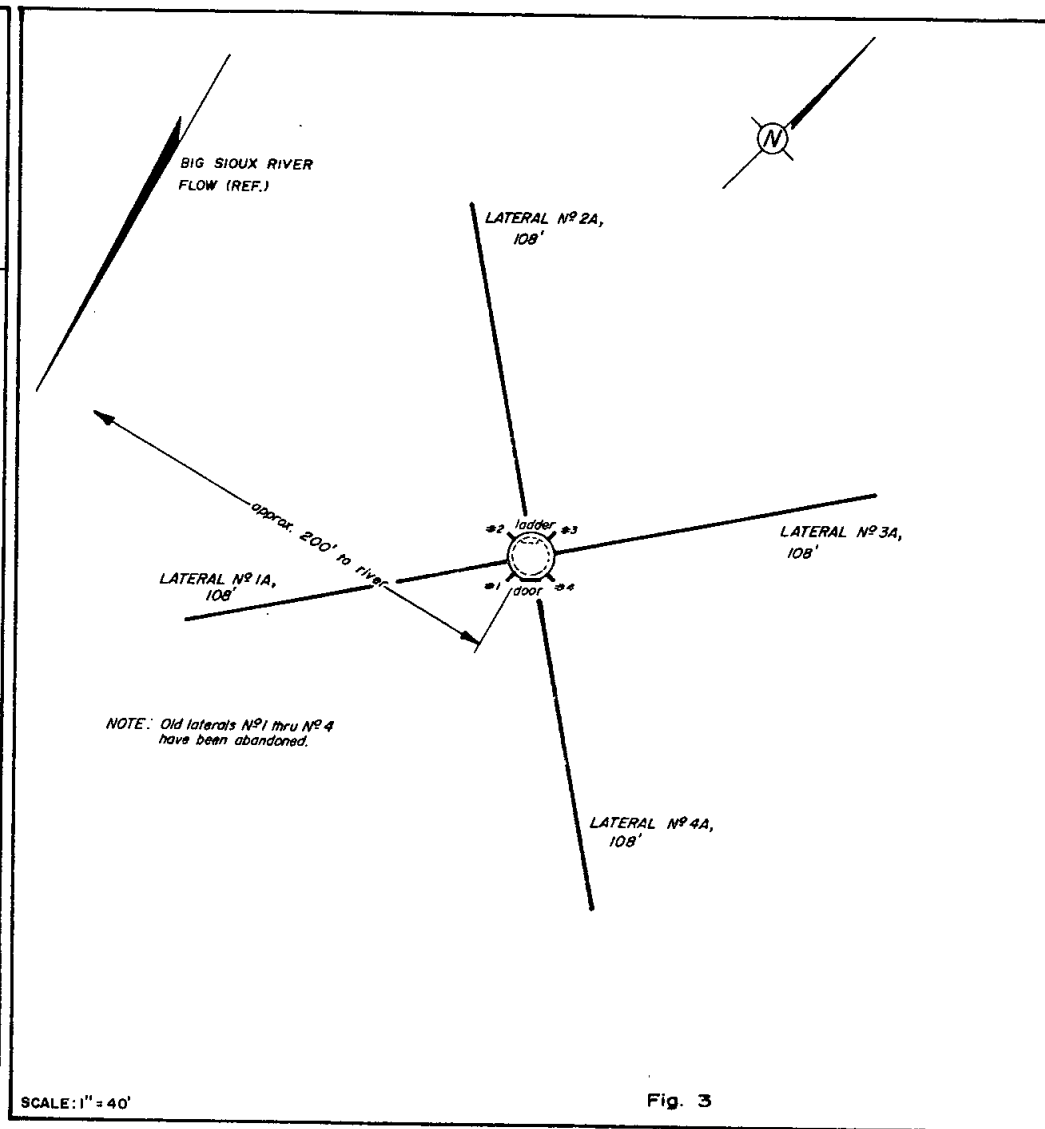
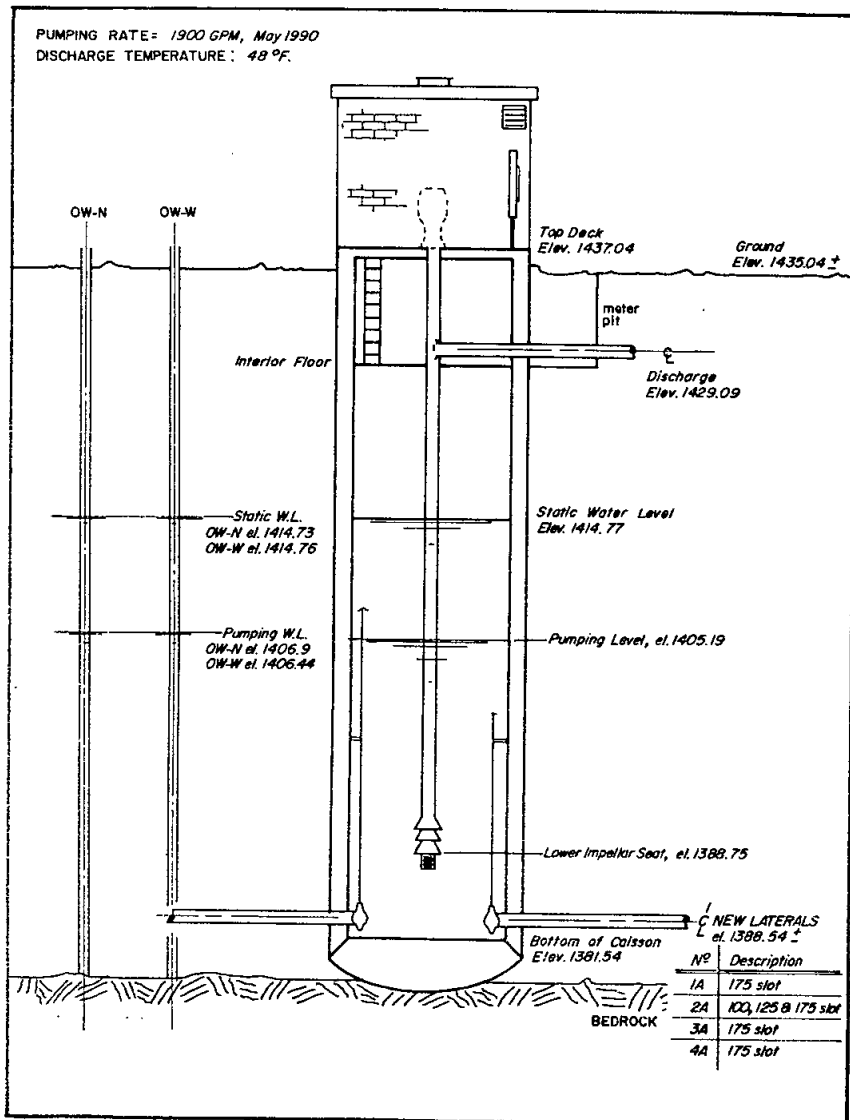


Fig. 3

SECTION & PLAN VIEWS
RANNEY WELL NO. 31
Sioux Falls, South Dakota



0 300 600 1,200 1,800 2,400 3,000 Feet

Mark D. Rath

Mark D. Rath
Natural Resources Engineer
SD DENR -Water Rights Program

September 26, 2017

7361-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

SEP 06 2018

Greg Anderson
City of Sioux Falls
2100 N Minnesota Ave
Sioux Falls SD 57104

RE: Water Right Nos. 299-3, 395-3, 396-3, 1347-3, 5710-3, 7361-3, 7362-3 & 7363-3

Dear Mr. Anderson:

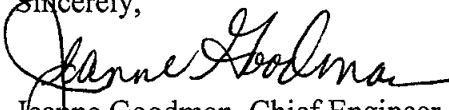
Enclosed are Water License Nos. 7361-3, 7362-3, 7363-3 and Reissued Water License No. 1347-3. They are the final water right documents completing the process of obtaining Water Rights. Included with the licenses for Nos. 7361-3, 7362-3 and 7363-3 are maps prepared by the staff engineer who conducted the field investigation.

Upon licensing, the applicable portions of Water Right Nos. 299-3, 395-3 and 396-3 were incorporated into Nos. 7361-3, 7362-3 and 7363-3 in their entirety. Portions of Nos. 1347-3 and 5710-3 were also incorporated into the licenses.

With respect to Water Right No. 5710-3, three of the wells are no longer in use and have been plugged. Our intent is to schedule that portion of the water right for cancellation consideration. Once the Board takes action, the water license will be reissued to reflect the remaining wells and associated diversion authority.

For your information SDCL 46-6-27 requires that if in the future, the owner of an existing well constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. As long as you use the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,


Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 7361-3

(1) The City of Sioux Falls, 2100 N Minnesota Ave, Sioux Falls SD 57104 made Application No. 7361-3, June 12, 2012 for a water permit to transfer existing diversion authority from Water Right No. 5710-3 and volume authority from Water Right No. 1347-3 to the well authorized by Water Right No. 395-3 from the Sioux Falls Management Unit of the Big Sioux Aquifer, Minnehaha County, South Dakota for municipal purposes. Permit No. 7361-3 was approved September 17, 2012 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 17, 2017 and for the application to beneficial use of water on or before September 17, 2021.

Water Rights associated with this water system:

- Water Right No. 395-3 – with priority date of January 22, 1957, authorizes 2,259 acre-feet volume authority at a diversion rate of 3.12 cubic feet of water per second (cfs) from one well;
- Water Right No. 1347-3 – with priority date of January 10, 1967, transfers 719 acre-feet volume authority;
- Water Right No. 5710-3 – with priority date of January 4, 1989, transfers a diversion rate of 1.45 cfs.

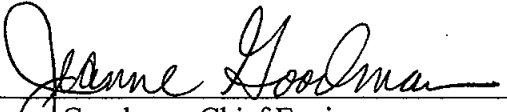
The applicable portions of No. 395-3 and portions of Water Right Nos. 1347-3 and 5710-3 are incorporated into Water License No. 7361-3. (Nos. 1347-3 & 5710-3 will be reissued to reflect remaining diversion authority).

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 7361-3 is issued a license, bearing priority dates of January 22, 1957 (3.12 cfs & 2,259 AF), January 10, 1967 (719 AF), and January 4, 1989 (1.45 cfs) to appropriate a total of 4.57 cubic feet of water per second with an annual volume of 2,978 acre-feet from one well – Sioux Falls Management Unit of the Big Sioux Aquifer for municipal use purposes.

The diversion point is located: Well No. 31 - 1,555 feet east and 130 feet north of the SW corner of Section 20, T102N-R49W (SE ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Permit No. 7361-3 including the following qualifications:

- If development and pumping of the well authorized by Water Right No. 395-3 results in impairment of adequate domestic wells or adequate wells having prior water rights, reduction of withdrawals or mitigation may be necessary. SDCL 46-1-5(1), in giving preference to domestic use over appropriative rights does so without regard to whether lowered ground water levels are due to drought, the location of the domestic wells in the aquifer, or thickness of the water bearing sands and gravel; subject to compliance with minimum requirements for adequate wells as defined by Board Well Construction Standards, Chapter 74:02:04.
- Water Permit No. 7361-3 and Water Right No. 395-3, combined, authorizes a total annual diversion of 2,978 acre feet of water at a rate of 4.57 cubic feet of water per second.
- The City of Sioux Falls shall report to the Chief Engineer annually the amount of water withdrawn from the Sioux Falls Management Unit of the Big Sioux Aquifer.


Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 06 2018
date

